



Maricopa County

Environmental Services Department

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Permanent Outdoor Cooking Operations A Plan Review Guide

Introduction

The following requirements, together with all other applicable provisions of the Maricopa County Environmental Health Code, Chapter VIII, and all local ordinances governing outdoor cooking operations shall apply to permanent outdoor cooking operations.

Each outdoor cooking location must be operated in conjunction with a permitted food establishment that will provide “support services” for the outdoor cooking location. The permitted food establishment shall be a fixed permanent facility only – not a temporary or mobile type establishment. The permitted food establishment must be of such a size and scope as to accommodate its own operation, as well as the support needs of the outdoor cooking operation. The scope and frequency of the operation will be determined at time of plan submittal. **If the establishment’s scope or volume changes, the department shall be notified prior to implementation.**

The permitted establishment must be adequately equipped and capable of cooking and serving food on the outside in a safe and sanitary manner. Only the cooking and grilling of food will be allowed outside at permitted establishments. All food preparation must be completed within the permitted establishment. In order to cook/ grill outside the food service establishment must have equal or greater cooking/ grilling and hot holding equipment inside the establishment.

The outdoor cooking site shall be located on the physical premises of the fixed permitted support food establishment as defined in the Maricopa County Environmental Health Code. "Premises" is defined as:

- (a) The physical facility, its contents, and the contiguous land or property under the control of the permit holder; or
- (b) The physical facility, its contents and the land or property not described under subparagraph (a) of this definition if its facilities and contents are under the control of the permit holder and may impact food establishment personnel, facilities, or operations, if a food establishment is only one component of a larger operation such as a health care facility, hotel, motel, school, recreational camp, or prison.

Public parks, playgrounds, parking lots, or similar locations not under the control of the permit holder will not qualify for approval as a permanent outdoor cooking facility.

Cooking operations shall be conducted during normal operating business hours of the fixed permitted support food establishment.

All usual and customary public health risks will be evaluated when assessing an outdoor cooking operation with additional consideration of exterior environmental factors.

The structural requirements for the outdoor site are dependent on whether there will be only the cooking of food, the cooking, storage, and/or service of food at the outdoor site. If food is being held and/or served at the outdoor site, there shall be greater level of structural protection. This Department will assess the environmental factors to determine the extent of protection necessary.

Plan Submittal

Establishments seeking approval for a permanent outdoor cooking operation must submit a set of plans for plan review consistent with the criteria provided in the Maricopa County Environmental Health Code Chapter VII, Section 2, Subsections 8-201.11 and 8-201.12.

The plan review submittal process shall include the following criteria:

1. One (1) complete set of plans (minimum size 8.5" x 11" or larger) including the interior and exterior layouts of the support establishment and a site location plan. **See Attached Plan Review Application.**
2. A plan submittal fee of \$150.00 is required for the review only of a new permanent outdoor cooking operation. The Plan Review Office may require additional fees based on existing conditions or scope of the establishment's operations. The establishment will need to meet current Environmental Health Code requirements. If additional fees and work are required to obtain a necessary permit please refer to the Environmental Health

Division's Plan Review Construction Guide for additional information. *Note:*
Establishments in operation or opening within 15 days of plan submittal will be charged an expedited fee.

3. An intended menu is required including the cooking style, types of food, the number of customers, and the frequency of the outdoor cooking operations.

Establishment Standards

Outside food establishments shall comply with the following minimum standards:

- A. **Floors:** Floor surfaces in a permanent outdoor cooking operation shall be in good repair and graded to drain. Approved flooring materials may be sealed concrete, sealed machine-laid asphalt, or sealed tile. Sealed hardwood decking material with tight joints that is easily cleanable may be approved. All flooring material shall be smooth, durable, non-absorbent, and easily cleanable. Effective dust control measures shall be taken in the vicinity of the outdoor cooking site.
- B. **Walls:** If there is cooking only at the outdoor site, walls are not required in most circumstances. If there is food service, storage, and/ or hot or cold holding performed at the outdoor site, consideration must be made to environmental conditions to provide adequate food protection. This may be accomplished through the use of tents with sides, screening, air curtains, block walls, vermin resistant containers, or other approved methods.
- C. **Overhead Protection:** Each individual piece of cooking equipment must be separately covered (cooker top, chafing dish lid, etc.) or all uncovered pieces must have overhead protection. Covers or lids may be removed only for monitoring, stirring or adding additional ingredients. Examples of acceptable overhead protection are tent, canopy, awning, or a permanent structure. The presence of overhead protection such as a tent or canopy does not preclude circumstances in which protection of individual food containers is also required.
- D. **General Food Protection:** The site selected and the method of cooking shall be approved by this Department. In addition, approval shall be obtained from the local regulating authority prior to a permit being issued by this Department. Only the cooking and grilling of food will be allowed outside at permitted establishments. All food preparation must be completed within the permitted establishment.
 1. All food must be protected from insects, birds, animals, and inclement weather conditions. Effective dust control measures shall be taken in the vicinity of all outdoor food service operations. Foods shall be kept covered and protected during transport between the preparation site, cooking site, and serving site.

2. Food items shall not be stored at an outdoor cooking site when the site is not in operation. All foods stored outside during cooking or service must be maintained in vermin resistant containers and stored at appropriate temperatures in accordance with the Maricopa County Environmental Health Code.
 3. All cooking areas shall be protected from contamination and shall be segregated from the public. Patrons must be prevented from accessing areas of the outdoor site where food, food contact surfaces, or equipment are located. All food shall be protected from customer handling, coughing, sneezing, or other contamination by wrapping, the use of sneeze guards/ shields, or other approved effective barriers.
 4. Open or uncovered containers of food are not allowed – except working containers. Condiments must be dispensed in single-service type packaging, in pump style containers, or in protected squeeze bottles, shakers, or similar dispensers which minimize contamination of food items by food workers, patrons, vermin, environmental conditions, or other sources. Self-service containers of non-potentially hazardous condiments such as minced onions, relish and the like shall be acceptable so long as the foods are adequately protected from contamination.
 5. Any leftover portions of displayed food must be discarded. The cooking/ serving of food without display shall not be restricted to time limitations.
 6. When observation or inspection disclose that an establishment creates a nuisance, such operation shall cease and desist and abate the nuisance.
- E. **Ventilation and Fire Protection:** If necessary to keep areas free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes, mechanical ventilation of sufficient capacity shall be provided. Notice: Necessary approval is required from local authorities that govern ventilation and fire protection codes.
- F. **Lighting:** Adequate lighting for day and night operations shall be provided. The minimum lighting intensity requirements are 50-foot candles for food cooking areas or where safety is a factor. Minimum lighting requirements are 20-foot candles for hand washing, equipment and utensil storage areas, including reach-in refrigeration units.
- G. **Equipment and Food Contact Surfaces:** All outdoor cooking/ grilling equipment, including custom-made equipment shall meet construction designs and standards set forth by this Department. Surfaces shall smooth, easily cleaned, free of rust, dents or pitting, and durable under normal outdoor use conditions
- H. **Cooking/ Hot Holding Equipment:** A continuous heat source such as electric or gas is preferred in a permanent operation. Use of wood or charcoal is acceptable if consistent temperatures are achieved and/ or maintained in accordance with the Maricopa Environmental Health Code. The permitted establishment must be adequately equipped and capable cooking/ grilling outside in a safe and sanitary manner. In order to cook/ grill outside the food service establishment must have equal or greater cooking/ grilling and hot holding equipment inside the establishment.

- I. **Cold Holding Equipment:** Refrigerators and freezers are required to maintain potentially hazardous foods at or below 41°F and 0°F respectively. These units must provide mechanical refrigeration and be commercial grade and meet NSF standards. Domestic-style refrigerators and freezers are not approved for food storage. Cold holding equipment must be capable of holding appropriate temperatures at the outdoor cooking site during extreme heat. Outdoor cold holding equipment is not to be used for the cooling of foods cooked outdoors. The units are intended for the cold holding only of foods to be cooked outdoors. The use of ice for refrigeration of potentially hazardous foods is not permitted. Ice machines are not permitted outside approved permanent structures. Note: Refrigeration units should not be installed exterior to the building if unpackaged foods will be transported from the unit to the food establishment or outdoor cooking/ grilling area. Refrigeration units unless designed for such use, should not be located directly adjacent to cooking equipment or other high heat producing equipment which may tax the cooling system's operation. Refrigerators and freezers must maintain internal (cabinet) air temperature of 41°F and 0°F respectively at an ambient air temperature of 100°F or below, with no more than 70% compressor run time. Unless modified most cold holding equipment is not intended or performance evaluated to operate in ambient air temperatures in excess of 100°F.
- J. **Plumbing:** Install and maintain plumbing according to the 1997 Uniform Plumbing Code and local requirements: If a well or septic is used, plans must be submitted to our Department (Water & Waste Management Division) for approval.
- K. **Hand Wash and Toilet Facilities:** Toilet facilities shall be located within 200 feet of the outdoor cooking site. Hand wash facilities shall be within 25 ft of all workstations and shall be centrally located and easily accessible. Provide hot and cold water or tempered water (95°F to 105°F) under pressure to all sinks. All sinks must have mixing faucets or valves. Hot water or tempered water shall be provided within 45 seconds to all hand wash sinks.
- L. **Garbage/ Refuse Disposal:** An adequate number of non-absorbent, easily cleanable, lidded waste receptacles shall be provided at each outdoor cooking site.
- M. **Equipment and Utensil Washing:** All utensils and equipment used in the outdoor cooking/ grilling of food must be returned to the permitted establishment for proper cleaning; except that, in place cleaning may be allowed for steamers, grills, and other similar equipment. Sufficient quantities of utensils shall be provided to conduct the activity.